

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 19, 2006

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter,
Deputy Clerk.

Each of the following:

B188756	People v. Strong
B186647	People v. Townsend
B183839	People v. Terry W. & Quince M.
B186754	People v. DeAnda

Argument waived, cause submitted.

B183481	Rodriguez
	v.
	PCH Logistics, Inc.

Merits:

Argued by Douglas G. Benedon for appellant and by Jennifer Wayne for
respondent. Cause submitted.

B184624	Michelle Lawton
	v.
	First National Ins Co., et al.

Merits:

Argued by Gary A. Dordick for appellant and by Raymond H. Goettsch for
respondents. Cause submitted.

DIVISION TWO (Continued)

B182896 Brooks
 v.
 Isaac H. Winer

Merits:

Argued by Joel Tamraz for appellant and by Gretchen S. Carner for respondent. Cause submitted.

B178286 The Stonegate Homeowners Assoc.
 v.
 R&R Palacios
 T.A. Staben

Merits:

Argued by Robert Nation for appellant, The Stonegate Homeowners Association; by Daniel J. Gonzalez for appellant R&R Palacios, and by Louis R. Chao for respondent, T.A. Staben. Cause submitted.

B185814 L.A. Pacific Center, Inc.
 v.
 Hotels Nevada, et al.

Merits:

Argued by Eric V. Rowen for appellant and by Mark A. James for respondent. Cause submitted.

B178202 Storage Technology Corp.
 v.
 Ted Marx

Merits:

Argued by Paul W. Cane for appellant and by Stuart B. Esner for respondent. Cause submitted.

DIVISION TWO (Continued)

B186949 Mark Beard
 v.
 William F. Turner

Merits:

Argued by Robert L. Kern for contestant and by Dale P. Earven for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman, Deputy Clerk.

Each of the following:

B188725 People v. Lopez
B187910 People v. Sowash
B190252 In re Andrea P.
B188762 In re M.F.
B190729 In re Gavin A.
B189342 In re Earl D.
B190029 In re Benny A.
B190115 In re Mia L.
B193278 Gilbert P. v. SCLA & DCFS

Argument waived, cause submitted.

B186095 Bailey
 v.
 Los Angeles Unified School District

Merits:

Argued by William D. Evans for appellant and no appearance for respondent. Cause submitted.

DIVISION TWO (Continued)

B188497 Los Angeles County, D.C.S.

v.

Brad W.

Merits:

Argued by Richard Pfeiffer for appellant and by Judy Luby, Deputy County Counsel for respondent. Cause submitted.

B193096 Larry S.

v.

Superior Court, Los Angeles County
(DCFS, r.p.i.)

Merits:

Argued by Albert Kaufman for petitioner and by Lisa Proft, Deputy County Counsel for real party in interest. Cause submitted.

B191701 Carrillo

v.

Superior Court, Los Angeles County
(The People, r.p.i.)

Merits:

Argued by Felicia Kahn Grant for petitioner and by Phyllis Asayama , Deputy District Attorney for real party in interest. Cause submitted.

B188590 John Garamendi

v.

Paul Woolls & Peer et al.

Merits:

Argued by H. Douglas Galt for respondents and by Cynthia Larsen for appellant. Cause submitted.

October 19, 2006 (Continued)

DIVISION TWO (Continued)

Presiding Justice Boren leaves bench.

B181934 Sidaross
v.
Professional Engineers in California Government

Merits:
Argued by Wayne Dryden for appellant and by Gerald James for respondent. Cause submitted.

Court adjourned.

DIVISION FOUR

B183547 People (Not for Publication)
B188048 v.
Lane
In re Lane on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied.

Epstein, P.J.

We concur: Manella, J.
Suzukawa, J.

B187992 Regan (Not for Publication)
v.
Office of Administrative Hearings et al.

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

DIVISION FIVE

B193007 The People (Not for Publication)
v.
S.C.L.A.
Shirlona, D., A Minor

The petition for writ of mandate is granted. The respondent court is directed to vacate its order of August 2, 2006, finding Shirlona D. fit for treatment under the juvenile court law, and enter a new and different order finding her unfit, as requested by the People's Motion to Find Minor Unfit Under Welfare and Institutions Code Sections 707(b) and (c). The stay of the juvenile court's proceedings issued by this court is dissolved.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

B183555 People (Not for Publication)
v.
Berry, et al.

We strike the \$ 10,000 parole revocation fines (section 1202.45) as to James Durbin and George Berry, and the \$ 5,000 parole revocation fine as to Shawn Berry. (*Ibid.*) The clerk of the superior court is ordered to prepare and forward amended abstracts of judgment to the Department of Corrections. As modified, the judgments are affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SIX (Continued)

B179195 M & C Products Analysis Technology, Inc. (Not for Publication)

v.

Bertik

The order denying attorney fees is reversed and the matter is remanded for a determination of the amount of attorney fees to be awarded to M & C for legal services in the trial court and on appeal. (*See Security Pacific National Bank v. Adamo* (1983) 142 Cal.App.3d 492, 498.) Appellant is to recover costs on appeal.

Perren, J.

We concur: Yegan, Acting P.J.

Coffee, J.

B189642 People (Not for Publication)

v.

Hernandez

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.

Perren, J.

B190272 People (Not for Publication)

v.

Casillas

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.

Perren, J.

DIVISION SIX (Continued)

B188653 In re Raquel R. et al., (Not for Publication)
San Luis Obispo Co. Dept. of Social Services
v.
Wendy S.

The judgment (order) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SIX (Continued)

B186619 People (Not for Publication)

V.

Fuentes

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.

Perren, J.

B181579 Akkerman (Not for Publication)

V.

Santa Barbara Cottage Hospital

The judgment is reversed and the cause is remanded to the trial court. Should plaintiffs request leave to amend their complaint, the trial court shall exercise its discretion in ruling on the motion. The trial court shall also decide SBCH's claim that there is no current need for an injunction. Each party shall bear its own costs on appeal.

Gilbert, P.J.

I concur: Coffee, J.

I dissent: Yegan, J. (Opinion)

DIVISION SEVEN

B188060 Enayati

V.

City of Santa Monica

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN (Continued)

B182575 Cheviot Vista Homeowners Association

V.

State Farm Fire & Casualty Company

Filed order certifying opinion for publication.

DIVISION EIGHT

B186048 People (Not for Publication)

V.

Kattan

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

B178083 Talasazan (Not for Publication)

V.

Kadjar et al.,

The order granting Talasazan's motion for sanctions is vacated. Each party shall bear his own costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

October 19, 2006 (Continued)

DIVISION EIGHT (Continued)

[illegible]

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.